

April 8, 1975

that they come to the rotunda and if you have the time and the desire to go out and visit with them, many of the legislators have, and hear their story I think that it is a great consequence that this Legislature recognizes their problem of their family and their wives at home. I would ask that you devote a few moments of our time to visit with these people to hear their story and the plight of their family.

LR27 is being introduced because we were served a summons. It was served to your speaker in behalf of the entire legislature that we are being sued under the case of the Carpenter vote and taking it to Federal Court. The copy of it was placed on your desk last Thursday or Friday. In visiting with the Attorney General I presented him with the summons and he showed me a section of the statute, I believe that it was 84-209 that the Legislature must pass a resolution to be directed to the Attorney General that he represent us as Legislators in this case rather than we do it individually ourselves. This is the purpose of the resolution. It is in compliance with section 84-209.

PRESIDENT: Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature I would like to ask the Speaker a question or two because throughout this controversy over the seating of the representative of the 48th District, we have tried to put together a record in detail everything that we have done and why. Do you have any idea as to what the cost of this defense might be?

SENATOR BURBACH: I do not, but we are served a summons and for the Attorney General to represent us, I presume that when he does represent us he can ascertain certain facts in this area Senator Chambers. This is only just a request of this body through the Attorney General to represent us and then of course we can feel free as individual legislators or collectively to the answer of your question may be.

PRESIDENT: Senator Chambers

SENATOR CHAMBERS: Senator Burbach what would be the consequences of not accepting this resolution, if the Attorney General were not to represent the Legislator. I presume let me strike that. Is he representing the Legislature as an arm of the Government or is he representing Senator Nichol because some things in the newspaper may have confused the issue, so I will ask both questions. First, is he representing the Legislature as a whole?

SENATOR BURBACH: That is right.

SENATOR CHAMBERS: In addition to that would he represent Senator Nichol personally?

SENATOR BURBACH: I believe no. I believe that he would represent him the same as he would represent you and I but I don't believe that he, the Attorney General would represent Senator Nichol as he is separately mentioned in the summons. I do not believe that he would.